

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Richmond Division

In re:

LeClairRyan, PLLC,<sup>1</sup>

Debtor

Case No.

19-34574-KRH

Chapter

7

**PROPOSED AGENDA FOR HEARING ON  
NOVEMBER 21, 2019, AT 1:00 P.M. (PREVAILING EASTERN TIME)**

Set forth below are the matters scheduled to be heard before the Honorable Kevin R. Huennekens, United States Bankruptcy Judge, in Room 5000, United States Courthouse, 701 East Broad Street, Richmond, Virginia 23219, on November 21, 2019, beginning at 1:00 p.m.

**I. ADJOURNED MATTERS OF THE DEBTOR**

1. “Cash Management”—Motion of LeClairRyan PLLC for Entry of an Order (I) Authorizing the Debtor to Maintain Existing Bank Accounts and Business Forms and Continue to Use Existing Cash Management System and (II) Waiving the Requirements of Section 345(b) of the Bankruptcy Code [ECF No. 7]

**Related Documents:**

- a. Interim Order (I) Authorizing Debtor to Maintain Existing Bank Accounts and Business Forms and Continue to Use Existing Cash Management System and (II) Waiving the Requirements of Section 345(b) of the Bankruptcy Code [ECF No. 40]
- b. Notice of Motion and Notice of Hearing (Notice of Filing of Chapter 11 Petition, First Day Motions, and Proposed Hearing on First Day Motions) (Re: related

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<sup>1</sup> The principal address of the Debtor as of the petition date was 4405 Cox Road, Glen Allen, Virginia 23060, and the last four digits of the Debtor’s federal tax identification number are 2451.

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Paula S. Beran, Esquire (Va. Bar No. 34679)  
David N. Tabakin, Esquire (Va. Bar No. 82709)  
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*Counsel for Lynn L. Tavener, Chapter 7 Trustee*

document(s) 4 Motion to Approve filed by LeClairRyan PLLC, 5 Motion to Extend Time to File Lists, Schedules and/or Statements filed by LeClairRyan PLLC, 6 Motion to Approve filed by LeClairRyan PLLC, 7 Motion to Approve filed by LeClairRyan PLLC, 8 Motion to Approve filed by LeClairRyan PLLC, 9 Motion to File Documents(s) Under Seal filed by LeClairRyan PLLC, 11 Motion to Approve filed by LeClairRyan PLLC, 12 Motion to Assume filed by LeClairRyan PLLC, 13 Motion to Approve Use of Cash Collateral filed by LeClairRyan PLLC, 15 Motion to Expedite Hearing filed by LeClairRyan PLLC) filed by Tyler P. Brown of Hunton Andrews Kurth LLP on behalf of LeClairRyan PLLC. Hearing scheduled for 9/3/2019 at 01:00 PM at Judge Phillips' Courtroom, 701 E. Broad St., Rm. 5100, Richmond, Virginia. (Brown, Tyler) [ECF No. 16]

- c. Hearing held before Hon. Keith L. Phillips; Motion GRANTED on Interim Basis, Final Hearing Set (Re: related document(s) 7 Motion to Approve filed by LeClairRyan PLLC) Hearing scheduled for 9/26/2019 at 02:00 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. Appearances: Toby Long for Debtor; Robert B. Van Arsdale for the Office of the U.S. Trustee. (Oliver, Betty) [ECF No. 26]
- d. Interim Order (I) Authorizing Debtor to Maintain Existing Bank Accounts and Business Forms and Continue to Use Existing Cash Management System and (II) Waiving the Requirements of Section 345(b) of the Bankruptcy Code. Order setting Hearing (Re: related document(s) 7 Motion to Approve filed by LeClairRyan PLLC) Final Hearing scheduled for 9/26/2019 at 02:00 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. (Ramirez-Lowe, Suzan) [ECF No. 40]
- e. Certificate of Service (Re: related document(s) 1 Chapter 11 Voluntary Petition filed by LeClairRyan PLLC, 3 Declaration filed by LeClairRyan PLLC, 4 Motion to Approve filed by LeClairRyan PLLC, 5 Motion to Extend Time to File Lists, Schedules and/or Statements filed by LeClairRyan PLLC, 6 Motion to Approve filed by LeClairRyan PLLC, 7 Motion to Approve filed by LeClairRyan PLLC, 8 Motion to Approve filed by LeClairRyan PLLC, 9 Motion to File Documents(s) Under Seal filed by LeClairRyan PLLC, 11 Motion to Approve filed by LeClairRyan PLLC, 12 Motion to Assume filed by LeClairRyan PLLC, 13 Motion to Approve Use of Cash Collateral filed by LeClairRyan PLLC, 14 Declaration filed by LeClairRyan PLLC, 15 Motion to Expedite Hearing filed by LeClairRyan PLLC, 16 Notice of Motion and Notice of Hearing filed by LeClairRyan PLLC, 17 Statement filed by LeClairRyan PLLC) filed by Henry Pollard Long III of Hunton Andrews Kurth LLP on behalf of LeClairRyan PLLC. (Long, Henry) [ECF No. 44]
- f. Affidavit of Service (Re: related document(s) 35 Order on Motion to Extend Time to File Lists Schedules and/or Statements LBR 1007-1, 36 Order on Motion to Expedite Hearing, 37 Order on Motion to Approve, 38 Order on Motion to

Approve, 40 Order Continuing/Rescheduling/Setting Hearing, 41 Order Continuing/Rescheduling/Setting Hearing, 42 Order on Motion to File Document(s) Under Seal, 43 Order Continuing/Rescheduling/Setting Hearing, 48 Order of Designation, 51 Order Continuing/Rescheduling/Setting Hearing, 52 Order Directing) filed by Jennifer Ellen Wuebker of Hunton Andrews Kurth LLP on behalf of LeClairRyan PLLC. (Wuebker, Jennifer) [ECF No. 73]

- g. Final Hearing continued; (Re: related document(s) 7 Motion to Approve filed by LeClairRyan PLLC) Hearing scheduled for 10/24/2019 at 01:00 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. Appearance: Tyler Brown. (Oliver, Betty) [ECF No. 111]
- h. Final Hearing continued; (Re: related document(s) [7] Motion to Approve filed by LeClairRyan PLLC) Hearing scheduled for 11/21/2019 at 01:00 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. Appearance: Paula Beran for Trustee. (Oliver, Betty) [ECF No. 180]

Response Deadline: October 17, 2019

Responses Filed: None

Status: The Trustee will request that interim relief be continued and that a final hearing be set for December 19, 2019 at 1:00 p.m.

- 2. Motion to Authorize (Motion for Entry of an Order Authorizing and Directing Payment of Client Expense Reimbursements) filed by Jason William Harbour of Hunton Andrews Kurth LLP on behalf of LeClairRyan PLLC. (Harbour, Jason) [ECF No. 71]

Related Documents:

- a. Notice of Motion and Notice of Hearing (Re: related document(s) 66 Application to Employ filed by LeClairRyan PLLC, 67 Application to Employ filed by LeClairRyan PLLC, 68 Motion to Appoint filed by LeClairRyan PLLC, 69 Motion to Reject filed by LeClairRyan PLLC, 70 Motion to Approve filed by LeClairRyan PLLC, 71 Motion to Authorize filed by LeClairRyan PLLC) filed by Henry Pollard Long III of Hunton Andrews Kurth LLP on behalf of LeClairRyan PLLC. Hearing scheduled for 9/26/2019 at 02:00 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. (Long, Henry) [ECF No. 72]
- b. Affidavit of Service (Re: related document(s) 66 Application to Employ filed by LeClairRyan PLLC, 67 Application to Employ filed by LeClairRyan PLLC, 68 Motion to Appoint filed by LeClairRyan PLLC, 69 Motion to Reject filed by LeClairRyan PLLC, 70 Motion to Approve filed by LeClairRyan PLLC, 71 Motion to Authorize filed by LeClairRyan PLLC, 72 Notice of Motion and Notice of

Hearing filed by LeClairRyan PLLC) filed by Jennifer Ellen Wuebker of Hunton Andrews Kurth LLP on behalf of LeClairRyan PLLC. (Wuebker, Jennifer) [ECF No. 75]

- c. Statement (Notice of Revised Proposed Orders) (Re: related document(s) 18 Motion to Reject filed by LeClairRyan PLLC, 66 Application to Employ filed by LeClairRyan PLLC, 67 Application to Employ filed by LeClairRyan PLLC, 68 Motion to Appoint filed by LeClairRyan PLLC, 70 Motion to Approve filed by LeClairRyan PLLC, 71 Motion to Authorize filed by LeClairRyan PLLC) filed by Henry Pollard Long III of Hunton Andrews Kurth LLP on behalf of LeClairRyan PLLC. (Long, Henry) [ECF No. 102]
- d. Hearing continued; (Re: related document(s) 71 Motion to Authorize filed by LeClairRyan PLLC) Hearing scheduled for 10/24/2019 at 01:00 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. Appearance: Jason Harbour. (Oliver, Betty) [ECF No. 121]

Response Deadline: October 17, 2019

Responses Filed: Limited Objection of ABL Alliance, LLLP to Motion for Entry of an Order Authorizing and Directing Payment of Client Expense Reimbursements [ECF No. 100]

Status: This Trustee will request that the Motion be partially granted, and that the remaining relief sought in the Motion be continued for hearing on December 19, 2019 at 1:00 p.m.

## II. MATTERS OF THE DEBTOR

- 3. Application for Compensation for Protiviti, Inc. as Financial Advisor (First and Final Fee Application of Protiviti, Inc. as Financial Advisor for LeClairRyan PLLC for Allowance of Final Compensation) filed by Tyler P. Brown of Hunton Andrews Kurth LLP on behalf of LeClairRyan PLLC. (Brown, Tyler) [ECF No. 205]

Related Documents:

- a. Notice of Motion and Notice of Hearing (Notice of Final Fee Application and Final Fee Application Hearing) (Re: related document(s) [205] Application for Compensation filed by LeClairRyan PLLC, [206] Application for Compensation filed by LeClairRyan PLLC) filed by Tyler P. Brown of Hunton Andrews Kurth LLP on behalf of LeClairRyan PLLC. Hearing scheduled for 11/21/2019 at 01:00 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. (Brown, Tyler) [ECF No. 207]

Response Deadline: November 17, 2019

Responses Filed: Trustee's Response to the First and Final Fee Application of Hunton Andrews Kurth LLP as Counsel for LeClairRyan PLLC for Allowance of Final Compensation and Final Reimbursement of Expenses (Re: related document(s) [206] Application for Compensation filed by LeClairRyan PLLC) filed by Paula S. Beran of Tavenner & Beran, PLC on behalf of Lynn L. Tavenner. (Beran, Paula) [ECF No. 227]

Status: This Trustee understands that the Movant will request that the Application be approved. The Trustee does object to said relief provided any said order granting said relief contains the requisite reservation of rights requested by the Trustee.

4. Application for Compensation for Hunton Andrews Kurth LLP as Counsel for LeClairRyan PLLC (First and Final Fee Application of Hunton Andrews Kurth LLP as Counsel for LeClairRyan PLLC for Allowance of Final Compensation and Final Reimbursement of Expenses) filed by Tyler P. Brown of Hunton Andrews Kurth LLP on behalf of LeClairRyan PLLC. (Brown, Tyler) [ECF No. 206]

Related Documents:

- a. Notice of Motion and Notice of Hearing (Notice of Final Fee Application and Final Fee Application Hearing) (Re: related document(s) [205] Application for Compensation filed by LeClairRyan PLLC, [206] Application for Compensation filed by LeClairRyan PLLC) filed by Tyler P. Brown of Hunton Andrews Kurth LLP on behalf of LeClairRyan PLLC. Hearing scheduled for 11/21/2019 at 01:00 PM at Judge Huennkens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. (Brown, Tyler) [ECF No. 207]

Response Deadline: November 17, 2019

Responses Filed: Trustee's Response to the First and Final Fee Application of Protiviti, Inc. as Financial Advisor for LeClairRyan PLLC for Allowance of Final Compensation and Final Reimbursement of Expenses (Re: related document(s) [205] Application for Compensation filed by LeClairRyan PLLC) filed by Paula S. Beran of Tavenner & Beran, PLC on behalf of Lynn L. Tavenner. (Beran, Paula) [ECF No. 228]

Status: This Trustee understands that the Movant will request that the Application be approved. The Trustee does object to said relief provided any said order granting said relief contains the requisite reservation of rights requested by the Trustee.

III. UNCONTESTED MATTERS OF THE TRUSTEE

5. Trustee's Motion to Approve Use of Cash Collateral (Motion for Use of Cash Collateral and Grant of Adequate Protection Related Thereto and Memorandum in Support Thereof) filed by Paula S. Beran of Tavenner & Beran, PLC on behalf of Lynn L. Tavenner. (Beran, Paula) [ECF No. 143]

Related Documents:

- a. Notice of Motion and Notice of Hearing (Re: related document(s) 143 Motion to Approve Use of Cash Collateral filed by Lynn L. Tavenner, 144 Motion to Authorize filed by Lynn L. Tavenner, 145 Motion to Expedite Hearing filed by Lynn L. Tavenner) filed by Paula S. Beran of Tavenner & Beran, PLC on behalf of Lynn L. Tavenner. Hearing scheduled for 10/4/2019 at 01:30 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. (Beran, Paula) [ECF No. 146]
- b. Hearing held and continued; Motion Granted on Interim Basis; Order to be submitted (Re: related document(s) 143 Motion to Approve Use of Cash Collateral filed by Lynn L. Tavenner) Appearances: Paula S. Beran; Doug Foley; Robert Van Arsdale. Hearing scheduled for 10/24/2019 at 01:00 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. (oliverb) Modified on 10/4/2019 to correct related document. (Oliver, Betty). [ECF No. 148]
- c. First Interim Order (I) Authorizing Use of Prepetition Secured Lenders' Cash Collateral Pursuant to 11 USC sec. 361 and 363, and (II) Granting Adequate Protection and Related Relief to Prepetition Senior Secured Lenders.(Re: related document(s) 143 Motion to Approve Use of Cash Collateral filed by Lynn L. Tavenner) (Bullock, Nathaniel) [ECF No. 151]
- d. Hearing held and continued; Motion Granted on Interim Basis (Re: related document(s) [143] Motion to Approve Use of Cash Collateral filed by Lynn L. Tavenner) Hearing scheduled for 11/21/2019 at 01:00 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. Appearances: Paula Beran for Trustee; Sarah Boehm. (Oliver, Betty) [ECF No. 187]
- e. Chapter 7 Trustee's Second Interim Order (I) Authorizing Use of Prepetition Secured Lenders' Cash Collateral Pursuant to 11 USC §§ 361 and 363, And (II) Granting Adequate Protection and Related Relief to Prepetition Senior Secured Lenders (Related Doc # [143]) (Manley, Candace) [ECF No. 191]

Response Deadline: October 22, 2019

Responses Filed: Objection to Trustees Motion for Use of Cash Collateral and Grant of Adequate Protection Related Thereto and Memorandum in Support [Dkt. No. 143] (Re: related document(s) [143] Motion to Approve Use of Cash Collateral filed by Lynn L. Tavenner) filed by Alexander Richard Green of Clark Hill PLC on behalf of iManage, LLC. (Attachments: # (1) Certificate of Service with Service List) (Green, Alexander) [ECF No. 170]

Status: This Trustee will request that the Court (1) authorize the continued use of cash collateral, on an interim basis, for the benefit of the Estate consistent with the budget to be tendered at the hearing; (2) grant certain adequate protection related thereto; and (3) continue the matter for final hearing on December 19, 2019 at 1:00 p.m.

6. Trustee's Motion to Extend Time (Motion for Entry of Orders Extending the Chapter 7 Trustee's Time to Assume, Reject, and/or Assign Certain Executory Contracts and/or Leases of Personal Property Pursuant to 11 U.S.C. § 365(d)(1)) filed by Paula S. Beran of Tavenner & Beran, PLC on behalf of Lynn L. Tavenner. (Beran, Paula) [ECF No. 201]

Related documents:

- a. Ex Parte Bridge Order Extending the Time to Assume, Reject, and/or Assign Certain Executory Contracts and/or Leases of Personal Property Pursuant to 11 U.S.C. § 365(d)(1)) (Related Doc # [201]) (Ramirez-Lowe, Suzan) [ECF No. 202]
- b. Trustee's Motion to Expedite Hearing (Related Document(s) [201] Motion to Extend Time filed by Lynn L. Tavenner) filed by Paula S. Beran of Tavenner & Beran, PLC on behalf of Lynn L. Tavenner. (Beran, Paula) [ECF No. 220]
- c. Trustee's Notice of Motion and Notice of Hearing (Re: related document(s) [201] Motion to Extend Time filed by Lynn L. Tavenner, [220] Motion to Expedite Hearing filed by Lynn L. Tavenner) filed by Paula S. Beran of Tavenner & Beran, PLC on behalf of Lynn L. Tavenner. Hearing scheduled for 11/21/2019 at 01:00 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. (Beran, Paula) [ECF No. 221]

Response Deadline: November 17, 2019

Responses Filed: None

Status: This Trustee will request that Expedited Hearing Motion be granted and that the Motion to Extend Time be granted.

### III. CONTESTED MATTERS

7. Motion for Relief from Stay Re: Insurance Premiums and for Expedited Hearing filed by Kevin J. Funk of Durrette, Arkema, Gerson & Gill PC on behalf of Bank Direct. (Attachments: # (1) Exhibit(s) A (Finance Agreement)) (Funk, Kevin) [ECF No. 162]

#### Related documents:

- a. Notice of Hearing (Re: related document(s) [162] Motion for Relief from Stay filed by Bank Direct) filed by Kevin J. Funk of Durrette, Arkema, Gerson & Gill PC on behalf of Bank Direct. Hearing scheduled for 10/24/2019 at 01:00 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. (Funk, Kevin) [ECF No. 164]
- b. Motion to Expedite Hearing (Related Document(s) [162] Motion for Relief from Stay filed by Bank Direct) filed by Kevin J. Funk of Durrette, Arkema, Gerson & Gill PC on behalf of Bank Direct. (Attachments: # (1) Exhibit(s) A (Finance Agreement)) (Funk, Kevin) [ECF No. 167]
- c. Notice of Hearing (Re: related document(s) [167] Motion to Expedite Hearing filed by Bank Direct) filed by Kevin J. Funk of Durrette, Arkema, Gerson & Gill PC on behalf of Bank Direct. Hearing scheduled for 10/24/2019 at 01:00 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. (Funk, Kevin) [ECF No. 168]
- d. Hearing held; final hearing set; (Re: related document(s) [162] Motion for Relief from Stay filed by Bank Direct, [167] Motion to Expedite Hearing filed by Bank Direct) Hearing scheduled for 11/21/2019 at 01:00 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. Appearances: Kevin Funk for Movant; Paula Beran for Trustee. (Oliver, Betty) [ECF No. 190]

Response Deadline: October 23, 2019

Responses Filed: Trustee's Objection to BankDirect Capital Finance, LLC's Motion for Relief From the Automatic Stay and Motion for Expedited Hearing (Re: related document(s) [162] Motion for Relief from Stay filed by Bank Direct, [167] Motion to Expedite Hearing filed by Bank Direct) filed by Paula S. Beran of Tavenner & Beran, PLC on behalf of Lynn L. Tavenner. (Beran, Paula) [ECF No. 176]



Status: The Trustee will request that the Court deny the Motion.

8. Motion for Relief from Stay (the “**Chien Stay Motion**”) Re: case 3:19CV135 filed by Andrew Chien. (Ramirez-Lowe, Suzan) [ECF No. 222]

Related documents:

- a. Motion to Expedite Hearing (the “**Chien Expedited Motion**”) (Related Document(s) [222] Motion for Relief from Stay filed by Andrew Chien) filed by Andrew Chien. (Ramirez-Lowe, Suzan) [ECF No. 223]
- b. Inquiry/General Checksheet Issued to Andrew Chien regarding Motion, Notice of Hearing; Not accompanied by a Notice of Hearing. (Re: related document(s) [222] Motion for Relief from Stay filed by Andrew Chien, [223] Motion to Expedite Hearing filed by Andrew Chien) (Ramirez-Lowe, Suzan) [ECF No. 224]
- c. Exhibit (Re: related document(s) [222] Motion for Relief from Stay filed by Andrew Chien) filed by Andrew Chien. (Ramirez-Lowe, Suzan) [ECF No. 225]
- d. Inquiry/General Checksheet BNC Certification of Service (Re: related document(s) [224] Inquiry/General Checksheet) (Admin.) [ECF No. 226]
- e. Notice of Hearing (Re: related document(s) [222] Motion for Relief from Stay filed by Andrew Chien, [223] Motion to Expedite Hearing filed by Andrew Chien) filed by Andrew Chien. Hearing scheduled for 11/21/2019 at 01:30 PM at Judge Huennekens’ Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. (Ramirez-Lowe, Suzan)

Response Deadline: November 20, 2019

Responses Filed: The Trustee intends on filing on November 20, 2019, a response to both the Chien Expedited Motion and the Chien Stay Motion.

Status: The Trustee will request that the Chien Expedited Motion be denied and that the Chien Stay Motion be set for preliminary hearing on December 19, 2019, at 1:00 p.m. Between now and December 19, 2019, at 1:00 p.m., the Trustee, through counsel, will work with Mr. Chien to determine if there is a consensual resolution to the Chien Stay Motion.

IV. UPDATES

9. Case Status

10. Report pursuant to Local Rule 2015-(a)-(1)(A)

Respectfully submitted,

LYNN L. TAVENNER, CHAPTER 7 TRUSTEE

Dated: November 19, 2019  
Richmond, Virginia

By: /s/ David N. Tabakin  
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*Counsel for Lynn L. Tavanner, Chapter 7 Trustee*

**CERTIFICATE OF SERVICE**

Pursuant to the Local Rules of this Court and applicable orders, I certify that on this 19th day of November 2019, a true copy of the foregoing Agenda was sent electronically to all parties receiving ECF notices in this Case.

/s/ David N. Tabakin  
*Counsel for Lynn L. Tavanner, Chapter 7 Trustee*